

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: GEISINGER HEALTH AND
EVANGELICAL COMMUNITY
HOSPITAL HEALTHCARE WORKERS
ANTITRUST LITIGATION

Case No. 4:21-cv-00196-MWB
(Chief Judge Brann)

**JOINT MOTION FOR EXTENSION OF THE APRIL 6, 2022
STRUCTURED DATA PRODUCTION DEADLINE**

Geisinger Health and Evangelical Community Hospital (collectively “Defendants”), and Plaintiffs Nichole Leib, Kevin Brokenshire, Diane Weigley, and Jessica Sauer (“Plaintiffs”), by and through their respective undersigned counsel, hereby jointly move for an order extending the April 6, 2022 structured data production deadline in the above-captioned matter and, in support thereof, aver as follows:

1. On February 7, 2022, the Court entered a Scheduling Order (“Order”), which established deadlines for case management, including the “substantial completion of production of structured data” in response to Plaintiffs’ Revised First Set of Requests for Production of Documents (the “Requests”) by April 6,

2022. ECF No. 80 at 4. The Order also required that “requests for extensions of any discovery deadlines be made at least fourteen days before the expiration of the discovery period.” *Id.* at 2.

2. The parties have met and conferred on several occasions over a period of two months regarding the scope of Plaintiffs’ Requests¹ and the parties’ ESI protocol (the “ESI Protocol”),² which would govern the data and document productions in this matter, including the April 6 structured data productions.

3. Despite the parties’ diligence and good faith efforts to reach an agreement on the scope of discovery and ESI Protocol, the parties’ negotiations remain ongoing, which affects Defendants’ ability to meet the upcoming April 6 deadline for data production. The parties, however, are hopeful that they will be and are committed to being able to reach agreement on both the scope of discovery and the ESI Protocol in the near term and avoid court intervention in order to resolve any discovery disputes.

4. Due to the parties’ ongoing discovery negotiations, the parties jointly request additional time from the April 6 deadline for Defendants to produce data

¹ The parties met and conferred regarding Plaintiffs’ Requests on January 27, February 15, and March 22, 2022. The parties have also exchanged six letters outlining their respective positions, including one as recently as March 18, 2022.

² The parties met and conferred regarding the ESI Protocol on January 28, 2022 and again on February 18, 2022, and exchanged relevant drafts and correspondence regarding the same in the interim.

responsive to Plaintiffs' Requests.

5. Accordingly, to allow Defendants sufficient time to substantially complete production of structured data in response to Plaintiffs' Requests, the parties hereby jointly request an extension of approximately 45 days from the April 6 structured data production deadline until May 23.

6. Granting this joint request for extension of time will not prejudice any party or unduly delay the disposition of this matter, especially because the end of the discovery period is more than a year away, in June 2023. The additional time will allow the parties to settle on the proper scope of discovery in this case in a manner that seeks to avoid unnecessarily expending judicial resources and will move this matter forward to resolution expeditiously.

WHEREFORE, the parties respectfully jointly request an extension of the April 6, 2022 structured data production deadline until May 23, 2022.

Dated: March 23, 2022

Respectfully submitted,

/s/ Chahira Solh

Stefan M. Meisner
CROWELL & MORING LLP
1001 Pennsylvania Avenue, NW
Washington, DC 20004
Telephone: 202-624-2500
smeisner@crowell.com

Chahira Solh (*Pro Hac Vice*)
CROWELL & MORING LLP
3 Park Plaza, 20th Floor

/s/Norm Armstrong, Jr.

Norman Armstrong, Jr.
KING & SPALDING
1700 Pennsylvania Avenue
Washington, DC 20006
Telephone: (202) 626-8979
narmstrong@kslaw.com

Stephanie Resnick
Theodore H. Jobes
John Fuller

Irvine, CA 92614
Telephone: 949-263-8400
csolh@crowell.com

Rosa M. Morales (*Pro Hac Vice*)
CROWELL & MORING LLP
590 Madison Avenue, 20th Floor
New York, NY 10022
Telephone: 212-895-4261
rmorales@crowell.com

Daniel T. Brier
Donna A. Walsh
Richard L. Armezzani
MYERS BRIER & KELLY LLP
425 Spruce Street, Suite 200
Scranton, PA 18503
Telephone: 570-342-6100
dbrier@mbklaw.com
dwalsh@mbklaw.com
rarmezzani@mbklaw.com

*Counsel for Defendant Geisinger
Health*

/s/ Adam J. Zapala
Adam J. Zapala
Elizabeth T. Castillo
James G. Dallal
Tamarah P. Prevost
COTCHETT, PITRE & McCARTHY,
LLP
840 Malcolm Road
Burlingame, CA 94010
Phone: (650) 697-6000
Fax: (650) 697-0577
azapala@cpmlegal.com
ecastillo@cpmlegal.com
jdallal@cpmlegal.com
tprevost@cpmlegal.com

FOX ROTHSCHILD LLP
2000 Market Street, 20th Floor
Philadelphia, PA 19103-3222
Telephone: (215) 299-2000
sresnick@foxrothschild.com
tjobes@foxrothschild.com
jfuller@foxrothschild.com

*Counsel for Defendant Evangelical
Community Hospital*

/s/ Eric L. Cramer
Eric L. Cramer
Shanon Jude Carson
Mark R. Suter
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Phone: (215) 875-4604
Fax: (215) 875-5707
ecramer@bm.net
scarson@bm.net
msuter@bm.net

Alexander E. Barnett
COTCHETT, PITRE & McCARTHY,
LLP
40 Worth Street, 10th Floor
New York, NY 10013
Phone: (212) 201-6820
abarnett@cpmlegal.com

Daniel J. Walker
BERGER MONTAGUE PC
2001 Pennsylvania Ave, NW, Suite
300
Washington, DC 20006
Phone: (202) 559-9745
Fax: (215) 875-5707
dwalker@bm.net

Interim Co-Lead Counsel for Plaintiffs and the Proposed Class